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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/749,257

12/31/2003

Daryl Carvis Cromer

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IBM COPORATION (RTP)
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EXAMINER

NOONAN, WILLOW W

ART UNIT

PAPER NUMBER

2146

MAIL DATE

DELIVERY MODE

03/31/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/749,257	Applicant(s) CROMER ET AL.	
	Examiner WILLOW NOONAN	Art Unit 2146	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,6-17 and 20-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4,6-17 and 20-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The instant application having Application No. 10/749,257 has a total of 21 claims pending in the application; there are 4 independent claims and 17 dependent claims, all of which are ready for examination by the examiner.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. *Claims 1-3, 6-11, 15-16, and 19-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Connery (U.S. Patent No. 6,311,276) in view of Kim (U.S. Patent App. Pub. No. 2004/0163008).*

Regarding claims 1, 11, 12, 15, and 20, Connery teaches a method for managing a remote client on a network. See Connery, *Abstract*. Connery teaches that the method comprises determining a client to be managed and determining whether the client is active on the network. See Connery at col. 2, paragraphs 1-2 (“management ... in a host computer in response to messages received through a network interface”). Connery teaches transmitting a first network packet to the client using the network, the first network packet comprising a wake-on-LAN packet. See Connery at col. 1, paragraph 1 (“Wake On LAN packet”). Connery further teaches receiving, from the

client, a return wake-on-LAN packet, the return wake-on-LAN packet comprising an indication of the address of the client and an indication of the status of the wake-on-LAN functionality of the client. See Connery at col. 7, lines 45-49 ("The adapter may generate a response to the message, such as an acknowledgment UDP packet, if desired."); Connery at fig. 4.

However, Connery does not teach updating the status of the wake-on-LAN functionality of the responding clients in database; determining a client to be managed from the plurality of clients based on the received statuses of wake-on-LAN functionality, wherein determining a client to be managed based on the received statuses includes determining whether the client is active on the network. Kim does teach updating the status in a database. See Kim at p. 3, paragraph 43 ("Management server 215 has access to a database 245 that stores status information regarding each of the management clients 220 and other information that can be used for the determination as to whether and when selected management operations are to take place"). Kim further teaches determining a client to be managed from the plurality of clients based on the received statuses of wake-on-LAN functionality, wherein determining a client to be managed based on the received statuses includes determining whether the client is active on the network. See Kim at fig. 6. It would have been obvious to one of ordinary skill to use Kim's technique in Connery's system because Kim relates to a similar system for managing wake-on-LAN clients in a computer network. See Kim, *Abstract*.

Regarding claims 2 and 16, Connery teaches transmitting a command to start a management session on the client using the network. See Connery at col. 2, paragraph 1 (“remote reset, remote diagnostics”).

Regarding claims 3, 21, 22, Connery teaches receiving an indication from the client that the client's wake-on-LAN functionality is disabled and transmitting an override command to the client. See Connery at col. 2, paragraph 1 (detailing list of configuration commands).

Regarding claims 6, 7, and 23, Connery teaches that the wake-on-LAN packet comprises an indication of the client address, which may be a broadcast address. See Connery at fig. 4.

Regarding claims 8 and 24, Connery teaches that the wake-on-LAN packet comprises an indication of an address for the transmitting computer. See Connery at fig. 4.

Regarding claims 9 and 10, Connery teaches that the return wake-on-LAN packet comprises an indication that the client has wake-on-LAN enabled or disabled. See Connery at col. 7, lines 45-49 (“The adapter may generate a response to the message, such as an acknowledgment UDP packet, if desired.”); Connery at fig. 4.

4. *Claims 4, 13-14, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable for the reasons set forth above, further in view of Deosaran (U.S. Patent App. Pub. No. 2002/0135611).*

Regarding claims 4 and 17, Connery does not teach marking the status of client devices in a database. However, Deosaran teaches that it is well known to store client

capability and configuration information in a server-side database. See Deosaran at p.1, paragraph 12 (“server which ... contains an application database that stored profile information on application that execute within the computer network and a system database that stores configuration information about the client computer within the computer network”). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Deosaran’s database in Connery’s system and method because Deosaran teaches that the disclosed invention may optimize the speed of software applications in a distributed system. See Deosaran at p. 1, paragraph 3.

Regarding claims 13 and 14, Connery teaches a data processing system for managing a remote client on a network, the system comprising: a server computer system in communication with at least one client computer system, the server computer system comprising a processor capable of determining whether the client computer system is active; wherein the server computer system is capable of transmitting a first network packet to the at least one client computer system, the first network packet comprising a wake-on-LAN packet; wherein the server computer system is capable of receiving a return wake-on-LAN packet from the at least one client computer system, the return wake-on-LAN packet comprising an indication of the address of the client and an indication of the status of the wake-on-LAN functionality of the client.

However, Connery does not teach a status database. Deosaran does teach that it is well known to store client capability and configuration information in a server-side database. See Deosaran at p.1, paragraph 12 (“server which ... contains an application database that stored profile information on application that execute within the computer

network and a system database that stores configuration information about the client computer within the computer network”).

Response to Arguments

5. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to WILLOW NOONAN whose telephone number is

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(571)270-1322. The examiner can normally be reached on Monday through Friday, 7:30 AM-5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Pwu can be reached on (571) 272-6798. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Willow Noonan/

Examiner, Art Unit 2146

/Jeffrey Pwu/

Supervisory Patent Examiner, Art Unit 2146